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In the United States Patent and Trademark Office

Application Number: 09/629,749
Application Filed: 07/31/00
Applicant: Durham Russell Maples, Camden, SC;

Application Title: A Method for Enhancing the Equity of a Business Entity
Art Unit: 3621
Examiner/GAU: Pierre Eddy Elisca
Date: May 4, 2003

Dear Examiner Elisca:

I believe that I do understand the amendments that you stated needed to be made to the claims and I have removed the lines from all three independent claims. I found 2 additional typographical mistakes in old claims 49 and 50 so I did the complete amendments myself. I am sending you the old claim from pages of amend E with the deletions underlined to make it easier to find the changes and provided you with amend F new claims 60-62.

Thank you for both your and Mr. Trammell's efforts on my behalf.

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Very Respectfully,
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Claims

4. The claims have been amended: Claims 38-48 have been canceled and Claims 49-59 have been substituted in their place. Claims 49-59 are presented for examination.

Claim 49. A method of enhancing the equity of a business entity by joining a debt instrument of said business entity to a single share or multiple shares of equity ownership of said business entity by issuing or conveying the right to a sum certain in money to be paid on a specified date to said single share or multiple shares of equity ownership of said business entity and in return said business entity receives adequate consideration in money's worth in the form of equity enhancement of said business entity's own equity and by issuing or conveying the right to the fixed rate of interest of said debt instrument of said business entity to said single share or multiple shares of equity ownership of said business entity, whereby the right to said sum certain in money and the right to the fixed rate of interest of said debt instrument cannot be separated from said single share or multiple shares of equity ownership of said business entity to be sold or traded separate from said single share or multiple shares of equity ownership of said business entity, whereby the shareholder of equity ownership of said business entity exchanges no money or property for said debt instrument, whereby the right to said sum certain in money and the right to the fixed rate of interest of said debt instrument of said business entity cannot be owned by the shareholder of equity ownership of said business entity, whereby said business entity distributes from the assets of said business entity assets equal to the value of the fixed rate of interest of said debt instrument and assets equal to the value of said sum certain in money to the shareholder of record of equity ownership of said business entity, whereby said business entity issues or conveys the right to the assets of said business entity to the shareholder of equity ownership of said business entity that states if said business entity fails to pay said sum certain in money to the shareholder of record of equity ownership of said business entity at the appropriate time then the assets of said business entity will be distributed to the creditors of said business entity, comprising;

said business entity forms said debt instrument by issuing a written unconditional promise to pay said sum certain in money on said specified date and pays a fixed rate of interest until said specified date,

* said single share or multiple shares of equity ownership of said business entity,

said business entity joins said debt instrument to said single share or multiple shares of equity ownership of said business entity by issuing or conveying the right to said sum certain in money to said single share or multiple shares of equity ownership of said business entity and in return said business entity receives adequate consideration in money's worth in the form of equity enhancement of said single share or multiple share of equity ownership of said business entity,

said business entity issues or conveys the right to the fixed rate of interest of said debt instrument of said business entity to said single share or multiple shares of equity ownership of said business entity,

said business entity issues a prohibition on the right of said sum certain in money from being separated from said single share or multiple shares of equity ownership of said business entity to be sold or traded separate from said single share or multiple shares of equity ownership of said business entity,

said business entity issues a prohibition on the right of the fixed rate of interest of said debt instrument of said business entity from being separated from said single share or multiple shares of equity ownership of said business entity to be sold or traded separate from said single share or multiple shares of equity ownership of said business entity,

said business entity issues a prohibition on the shareholder of said share or shares of equity of said business entity from exchanging any money or property for the right to said sum certain in money,

said business entity issues a prohibition on the right of said sum certain in money from being owned by the shareholder of said single share or multiple shares of equity ownership of said business entity,

* said business entity issues a prohibition on the right to the fixed rate of interest of said debt instrument of said business entity from being owned by the shareholder of said business entity from being owned by the shareholder of said single share or multiple shares of equity ownership of said business entity,

said business entity distributes from the assets of said business entity assets equal to the value of the fixed rate of interest of said debt instrument to the shareholder of record of equity of ownership of said business entity,

said business entity distributes from the assets of said business entity assets equal to the value of said sum certain in money to the shareholder of record of equity ownership of said business entity, and

said business entity issues or conveys the right to the assets of said business entity to the shareholder of equity ownership of said business entity that states if said business entity fails to pay said sum certain in money to the shareholder of record of equity ownership of said business entity at the appropriate time then the assets of said business entity will be distributed to the creditors of said business entity.

Claim 50. A method of enhancing the equity ownership of a business entity by issuing a debt instrument of said business entity to a single share or multiple shares of equity ownership of said business entity, comprising;

said business entity forms said debt instrument by issuing a written unconditional promise to pay a sum certain in money on a specified date and pays a fixed rate of interest until said specified date,

* said single share or multiple shares of equity ownership of said business entity,

said business entity joins said debt instrument to said single share or multiple shares of equity ownership of said business entity by issuing or conveying the right to said sum certain in money to said single share or multiple shares of equity ownership of said business entity and in return said business entity receives adequate consideration in money's worth in the form of equity enhancement of said single share or multiple share of equity ownership of said business entity,

said business entity issues or conveys the right to the fixed rate of interest of said debt instrument of said business entity to said single share or multiple shares of equity ownership of said business entity,

said business entity issues a prohibition to the right of said sum certain in money from being separated from said single share or multiple shares of equity ownership of said business entity to be sold or traded separate from said single share or multiple shares of equity ownership of said business entity,

said business entity issues a prohibition to the right of the fixed rate of interest of said debt instrument of said business entity from being separated from said single share or multiple shares of equity ownership of said business entity to be sold or traded separate from said single share or multiple shares of equity ownership of said business entity,

said business entity issues or conveys the right to the fixed rate of interest of said debt instrument of said business entity to said single share or multiple shares of equity ownership of said business entity,

said business entity issues a prohibition on the right of said sum certain in money from being separated from said single share or multiple shares of equity ownership of said business entity to be sold or traded separate from said single share or multiple shares of equity ownership of said business entity,

said business entity issues a prohibition on the right of the fixed rate of interest of said debt instrument of said business entity from being separated from said single share or multiple shares of equity ownership of said business entity to be sold or traded separate from said single share or multiple shares of equity ownership of said business entity,

said business entity issues a prohibition on the shareholder of said share or shares of equity of said business entity from exchanging any money or property for the right to said sum certain in money,

said business entity issues a prohibition on the right of said sum certain in money from being owned by the shareholder of said single share or multiple shares of equity ownership of said business entity,

* said business entity issues a prohibition on the right to the fixed rate of interest of said debt instrument of said business entity from being owned by the shareholder of said business entity from being owned by the shareholder of said single share or multiple shares of equity ownership of said business entity,

said business entity distributes from the assets of said business entity assets equal to the value of the fixed rate of interest of said debt instrument to the shareholder of record of equity of ownership of said business entity,

said business entity distributes from the assets of said business entity assets equal to the value of said sum certain in money to the shareholder of record of equity ownership of said business entity,

said business entity issues or conveys the right to the assets of said business entity to the shareholder of equity ownership of said business entity that states if said business entity fails to pay said sum certain in money to the shareholder of record of equity ownership of said business entity at the appropriate time then the assets of said business entity will be distributed to the creditors of said business entity, and

said business entity calculates any amortization of said sum certain in money of said debt instrument by using a computer.

Claim 51. A method of enhancing the equity of a business entity by issuing a debt instrument of said business entity to a single share or multiple shares of equity ownership of said business entity, comprising;

said business entity forms said debt instrument by issuing a written unconditional promise to pay a sum certain in money on a specified date and pays a fixed rate of interest until said specified date,

* said single share or multiple shares of equity ownership of said business entity,

said business entity issues or conveys in writing on the right to said sum certain in money to said single share or multiple shares of equity ownership of said business entity and in return said business entity receives adequate consideration in money's worth in the form of equity enhancement of said single share or multiple shares of equity ownership of said business entity,

said business entity issues or conveys in writing on the right to said fixed rate of interest to said single share or multiple shares of equity ownership of said business entity,

said business entity issues a prohibition in writing on the right to said sum certain in money from being separated from said single share or multiple shares of equity ownership of said business entity to be sold or traded separate from said single share or multiple shares of equity of said business entity,

said business entity issues a prohibition in writing on the right to said fixed rate of interest from being separated from said single share or multiple shares of equity ownership of said business entity to be sold or traded separate from said share or shares of equity of said business entity,

said business entity issues a prohibition in writing on the right to said sum certain in money from being owned by the shareholder of said share or shares of equity of said business entity,

said business entity issues a prohibition in writing on the right to said fixed rate of interest from being owned by the shareholder of said share or shares of equity of said business entity,

said business entity distributes from the assets of said business entity assets equal to the value of the fixed rate of interest of said debt instrument that are tax deductible to said business entity to the shareholder of record of equity of ownership of said business entity,

said business entity distributes from the assets of said business entity assets equal to the value of said sum certain in money to the shareholder of record of equity ownership of said business entity,

said business entity issues or conveys the right to the assets of said business entity to the shareholder of equity ownership of said business entity that states if said business entity fails to pay said sum certain in money to the shareholder of record of equity ownership of said business entity at the appropriate time then the assets of said business entity will be distributed to the creditors of said business entity.

Claim 52. The method or process of claim 49, comprising said business issues said debt instrument that cannot be separated from said single share or multiple shares of equity ownership of said business entity except by said business entity paying said sum certain in money to the shareholder of equity ownership of said business entity or to exchange another debt instrument of said business entity that is issued to said single share or multiple shares of equity ownership of said business entity and said debt instrument of said business entity cannot be owned by the shareholder of equity ownership of said business entity.

Claim 53. The method or process of claim 49, comprising said business entity issues said debt instrument that pays said fixed rate of interest to the shareholder of record of equity ownership of said business entity and a portion of said fixed rate of interest is tax deductible to said business entity.



Application Number: 09/629,749

Amendment F.

Claims

4. The claims have been amended: Claims 49-52 have been canceled and Claims 60-62 have been substituted in their place. Claims 60-62 are presented for examination.

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Claim 60. A method of enhancing the equity of a business entity by joining a debt instrument of said business entity to a single share or multiple shares of equity ownership of said business entity by issuing or conveying the right to a sum certain in money to be paid on a specified date to said single share or multiple shares of equity ownership of said business entity and in return said business entity receives adequate consideration in money's worth in the form of equity enhancement of said business entity's own equity and by issuing or conveying the right to the fixed rate of interest of said debt instrument of said business entity to said single share or multiple shares of equity ownership of said business entity, whereby the right to said sum certain in money and the right to the fixed rate of interest of said debt instrument cannot be separated from said single share or multiple shares of equity ownership of said business entity to be sold or traded separate from said single share or multiple shares of equity ownership of said business entity, whereby the shareholder of equity ownership of said business entity exchanges no money or property for said debt instrument, whereby the right to said sum certain in money and the right to the fixed rate of interest of said debt instrument of said business entity cannot be owned by the shareholder of equity ownership of said business entity, whereby said business entity distributes from the assets of said business entity assets equal to the value of the fixed rate of interest of said debt instrument and assets equal to the value of said sum certain in money to the shareholder of record of equity ownership of said business entity, whereby said business entity issues or conveys the right to the assets of said business entity to the shareholder of equity ownership of said business entity that states if said business entity fails to pay said sum certain in money to the shareholder of record of equity ownership of said business entity at the appropriate time then the assets of said business entity will be distributed to the creditors of said business entity, comprising;

said business entity forms said debt instrument by issuing a written unconditional promise to pay said sum certain in money on said specified date and pays a fixed rate of interest until said specified date,

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said business entity joins said debt instrument to said single share or multiple shares of equity ownership of said business entity by issuing or conveying the right to said sum certain in money to said single share or multiple shares of equity ownership of said business entity and in return said business entity receives adequate consideration in money's worth in the form of equity enhancement of said single share or multiple share of equity ownership of said business entity,

said business entity issues or conveys the right to the fixed rate of interest of said debt instrument of said business entity to said single share or multiple shares of equity ownership of said business entity,

said business entity issues a prohibition on the right of said sum certain in money from being separated from said single share or multiple shares of equity ownership of said business entity to be sold or traded separate from said single share or multiple shares of equity ownership of said business entity,

said business entity issues a prohibition on the right of the fixed rate of interest of said debt instrument of said business entity from being separated from said single share or multiple shares of equity ownership of said business entity to be sold or traded separate from said single share or multiple shares of equity ownership of said business entity,

said business entity issues a prohibition on the shareholder of said share or shares of equity of said business entity from exchanging any money or property for the right to said sum certain in money,

said business entity issues a prohibition on the right of said sum certain in money from being owned by the shareholder of said single share or multiple shares of equity ownership of said business entity,

said business entity issues a prohibition on the right to the fixed rate of interest of said debt instrument of said business entity from being owned by the shareholder of said single share or multiple shares of equity ownership of said business entity,

said business entity distributes from the assets of said business entity assets equal to the value of the fixed rate of interest of said debt instrument to the shareholder of record of equity of ownership of said business entity,

said business entity distributes from the assets of said business entity assets equal to the value of said sum certain in money to the shareholder of record of equity ownership of said business entity, and

said business entity issues or conveys the right to the assets of said business entity to the shareholder of equity ownership of said business entity that states if said business entity fails to pay said sum certain in money to the shareholder of record of equity ownership of said business entity at the appropriate time then the assets of said business entity will be distributed to the creditors of said business entity.

Claim ~~61~~². A method of enhancing the equity ownership of a business entity by issuing a debt instrument of said business entity to a single share or multiple shares of equity ownership of said business entity, comprising;

said business entity forms said debt instrument by issuing a written unconditional promise to pay a sum certain in money on a specified date and pays a fixed rate of interest until said specified date,

said business entity joins said debt instrument to said single share or multiple shares of equity ownership of said business entity by issuing or conveying the right to said sum certain in money to said single share or multiple shares of equity ownership of said business entity and in return said business entity receives adequate consideration in money's worth in the form of equity enhancement of said single share or multiple share of equity ownership of said business entity,

said business entity issues or conveys the right to the fixed rate of interest of said debt instrument of said business entity to said single share or multiple shares of equity ownership of said business entity,

said business entity issues a prohibition to the right of said sum certain in money from being separated from said single share or multiple shares of equity ownership of said business entity to be sold or traded separate from said single share or multiple shares of equity ownership of said business entity,

said business entity issues a prohibition to the right of the fixed rate of interest of said debt instrument of said business entity from being separated from said single share or multiple shares of equity ownership of said business entity to be sold or traded separate from said single share or multiple shares of equity ownership of said business entity,

said business entity issues or conveys the right to the fixed rate of interest of said debt instrument of said business entity to said single share or multiple shares of equity ownership of said business entity,

said business entity issues a prohibition on the right of said sum certain in money from being separated from said single share or multiple shares of equity ownership of said business entity to be sold or traded separate from said single share or multiple shares of equity ownership of said business entity,

said business entity issues a prohibition on the right of the fixed rate of interest of said debt instrument of said business entity from being separated from said single share or multiple shares of equity ownership of said business entity to be sold or traded separate from said single share or multiple shares of equity ownership of said business entity,

said business entity issues a prohibition on the shareholder of said share or shares of equity of said business entity from exchanging any money or property for the right to said sum certain in money,

said business entity issues a prohibition on the right of said sum certain in money from being owned by the shareholder of said single share or multiple shares of equity ownership of said business entity,

said business entity issues a prohibition on the right to the fixed rate of interest of said debt instrument of said business entity from being owned by the shareholder of said single share or multiple shares of equity ownership of said business entity,

said business entity distributes from the assets of said business entity assets equal to the value of the fixed rate of interest of said debt instrument to the shareholder of record of equity of ownership of said business entity,

said business entity distributes from the assets of said business entity assets equal to the value of said sum certain in money to the shareholder of record of equity ownership of said business entity,

said business entity issues or conveys the right to the assets of said business entity to the shareholder of equity ownership of said business entity that states if said business entity fails to pay said sum certain in money to the shareholder of record of equity ownership of said business entity at the appropriate time then the assets of said business entity will be distributed to the creditors of said business entity, and

said business entity calculates any amortization of said sum certain in money of said debt instrument by using a computer.

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Claim 62. A method of enhancing the equity of a business entity by issuing a debt instrument of said business entity to a single share or multiple shares of equity ownership of said business entity, comprising;

said business entity forms said debt instrument by issuing a written unconditional promise to pay a sum certain in money on a specified date and pays a fixed rate of interest until said specified date,

said business entity issues or conveys in writing on the right to said sum certain in money to said single share or multiple shares of equity ownership of said business entity and in return said business entity receives adequate consideration in money's worth in the form of equity enhancement of said single share or multiple shares of equity ownership of said business entity,

said business entity issues or conveys in writing on the right to said fixed rate of interest to said single share or multiple shares of equity ownership of said business entity,

said business entity issues a prohibition in writing on the right to said sum certain in money from being separated from said single share or multiple shares of equity ownership of said business entity to be sold or traded separate from said single share or multiple shares of equity of said business entity,

said business entity issues a prohibition in writing on the right to said fixed rate of interest from being separated from said single share or multiple shares of equity ownership of said business entity to be sold or traded separate from said share or shares of equity of said business entity,

said business entity issues a prohibition in writing on the right to said sum certain in money from being owned by the shareholder of said share or shares of equity of said business entity,

said business entity issues a prohibition in writing on the right to said fixed rate of interest from being owned by the shareholder of said share or shares of equity of said business entity,

said business entity distributes from the assets of said business entity assets equal to the value of the fixed rate of interest of said debt instrument that are tax deductible to said business entity to the shareholder of record of equity of ownership of said business entity,

said business entity distributes from the assets of said business entity assets equal to the value of said sum certain in money to the shareholder of record of equity ownership of said business entity,

said business entity issues or conveys the right to the assets of said business entity to the shareholder of equity ownership of said business entity that states if said business entity fails to pay said sum certain in money to the shareholder of record of equity ownership of said business entity at the appropriate time then the assets of said business entity will be distributed to the creditors of said business entity.
